

**OVERSIGHT BOARD  
FOR SUCCESSOR AGENCY TO THE  
CARLSBAD REDEVELOPMENT AGENCY**

**SPECIAL MEETING AGENDA**

**February 27, 2013**

**10:30am**

Carlsbad City Council Chambers  
1200 Carlsbad Village Drive, Carlsbad, California 92008  
[www.carlsbadca.gov](http://www.carlsbadca.gov)

*Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990 by contacting the Housing and Neighborhood Services Office at (760) 434-2815 (voice), 711 (free relay service for TTY users), (760) 720-2037 (fax) or [courtney.enriquez@carlsbadca.gov](mailto:courtney.enriquez@carlsbadca.gov) by noon on the Wednesday preceding the meeting. All persons requiring reasonable accommodations or auxiliary aids in order to effectively participate in the meeting may contact the Housing and Neighborhood Services Office on the Wednesday preceding the meeting to make such arrangements.*

- 1. Call to Order: 10:30am**
- 2. Oath of Office:** New member: Suzanne O'Connell
- 3. Roll Call**

<b>Board Member</b>	<b>Agency Represented</b>	<b>Present</b>
Cyril Kellett, MD	Tri-City Hospital	
Jim Austin	California Community Colleges Chancellor's Office (Mira Costa)	
Suzanne O'Connell	San Diego County Office of Education (Carlsbad Unified School District)	
Julie Baker	County of San Diego	
Lloyd Hubbs	County of San Diego	
John Coates	City of Carlsbad	
Chuck McBride	City of Carlsbad	

- 4. Approval of Minutes:** January 14, 2013

- 5. Public Comment**

In conformance with the Brown Act, no Board action can occur on items presented during Public Comment.

A total of 15 minutes is provided so members of the public can address the Board on items that are **not** listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during public comment, fill out a speaker card and provide it to the Minutes Clerk. If there are more than five (5) speakers, the remaining speakers will

be heard at the end of the agenda. When you are called to speak, please come forward to the microphone and state your name and address for the record.

For matters on the agenda, you are invited to speak at the time the item is considered by the Board. If you intend to address the Board on matters on the agenda, please submit a Request to Speak form to the Minutes Clerk prior to the start of the Board meeting or the specific item. Each speaker will be allowed up to three (3) minutes to speak. When you are called to speak, please come forward to the microphone and state your name and address for the record.

**6. OB #2013-004 - ROPS 2013-14A – July 1, 2013 to December 31, 2013**

To receive and consider for approval the first six month Recognized Obligation Payment Schedule (ROPS) for fiscal year 2013-14. The reporting period for this ROPS (2013-14A) is July 1, 2013 to December 31, 2013.

Recommended Action: Adopt Board Resolution No. 13-004 to approve ROPS 2013-14A and authorize submittal of the report to the State Department of Finance and County of San Diego as set forth by State Law.

**7. Future Meetings and Agenda Items**

To discuss dates for future meetings of the Oversight Board, and items to be placed on future agendas for the Board's consideration.

Action: The Board may direct staff on dates of any other desired meetings, and any future discussion/action items.

**8. Board, Staff and Legal Counsel Reports and Comments**

This category is for reporting purposes only. In conformance with the Brown Act, no public testimony and no Board action can occur on these items.

**9. Adjournment**

In accordance with State Law, this agenda has been posted at the City Council Chamber Kiosk at 1200 Carlsbad Village Drive, Carlsbad, CA 72 hours in advance of this meeting and has also been posted on the City of Carlsbad's Website at [www.carlsbadca.gov](http://www.carlsbadca.gov). Citizens who wish to have an item placed on the agenda may do so by contacting the Successor Agency at (760) 434-2815 no later than one week prior to the date of the next meeting of the Board.

**OVERSIGHT BOARD  
FOR SUCCESSOR AGENCY TO THE  
CARLSBAD REDEVELOPMENT AGENCY**

**SPECIAL MEETING MINUTES**

**January 14, 2013**

**11:00am**

Carlsbad City Council Chambers  
1200 Carlsbad Village Drive, Carlsbad, California 92008  
[www.carlsbadca.gov](http://www.carlsbadca.gov)

1. **Call to Order by Chairman, Julie Baker: 11:00am**
2. **Oath of Office:** John Coates took oath of office administered by City Clerk
3. **Roll Call**

<b>Board Member</b>	<b>Agency Represented</b>	<b>Present</b>
Cyril Kellett, MD	Tri-City Hospital	A
Jim Austin	California Community Colleges Chancellor's Office (Mira Costa)	X
Sherry Hahn	San Diego County Office of Education (Carlsbad Unified School District)	A
Julie Baker	County of San Diego	X
Lloyd Hubbs	County of San Diego	X
John Coates	City of Carlsbad	X
Chuck McBride	City of Carlsbad	A

4. **Approval of Minutes:**

The Board approved the minutes of the special meetings of October 15, 2012 and January 7, 2013 (Motion by Lloyd Hubbs. Second by Jim Austin. Vote: 3-0, abstain - Coates)

5. **Public Comment**

No public comment. There was no public in attendance at the meeting.

6. **OB # 2013-001 - Due Diligence Review of Non-Housing Redevelopment Fund**

The Board received, reviewed, discussed and for approved the due diligence review of the former Non-Housing Redevelopment Fund, required under AB 1484. The review was performed by Mayer Hoffmann McCann, the city's independent auditor. There were no comments provided by the public.

Board Action: Approved by Resolution No. 13-001 (Motion by Lloyd Hubbs. Second by Jim Austin. Vote: 4-0)

**7. OB #2013-002 - Disposal of Xerox Machine owned by the Successor Agency**

The Board considered and approved action by the Successor Agency to dispose of the Xerox Machine formerly owned by the *Carlsbad Redevelopment Agency*, and now owned by the *Successor Agency to the former Carlsbad Redevelopment Agency*.

Board Action: Approved by Resolution No. 13-002 (Motion by Jim Austin. Second by Lloyd Hubbs. Vote: 4-0)

**8. OB #2013-003- Repayment of Loans from City to Agency in 2013-14**

The Board considered and approved a finding that the loan(s) issued by the City of Carlsbad to the Carlsbad Redevelopment Agency over the course of its operations from 1976 to 2011 were for legitimate redevelopment purposes.

Board Action: Approved by Resolution No. 13-003 (Motion by Lloyd Hubbs. Second by Jim Austin. Vote: 4-0)

**9. Future Meetings and Agenda Items**

The Board discussed the need for future meetings of the Oversight Board, and items to be placed on future agendas for the Board's consideration.

Action: No action taken to schedule future meeting(s). Staff indicated that the Board would be contacted once the need for one or more additional meetings was determined by Staff.

**10. Board, Staff and Legal Counsel Reports and Comments**

No additional reports or comments from the Board, Legal Counsel, or Staff

**11. Adjournment by Chair, Julie Baker: 12:00pm**

# OVERSIGHT BOARD

Successor Agency to the  
Carlsbad Redevelopment Agency

February 27, 2013

**OB# 2013-004: Approval of the Recognized Obligation Payment Schedule (ROPS 2013-14A) for July 1, 2013 to December 31, 2013 for the Successor Agency to the Carlsbad Redevelopment Agency.**

**Recommended Action: Adopt Board Resolution No. 13-004 to approve the ROPS 2013-14A and authorize submission to the State Department of Finance and the County of San Diego as set forth by State Law.**

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On June 29, 2011, the Governor signed ABX1 26 to dissolve all redevelopment agencies within the State of California. All agencies were subsequently dissolved as of February 1, 2012, and a Successor Agency was designated to complete the work of the Agency and satisfy the financial obligations. The City of Carlsbad is the designated Successor Agency for the Carlsbad Redevelopment agency and as such must comply with State Law to ensure payment of all enforceable obligations and close down the Agency at its earliest convenience.

One of the obligations of the dissolution act was for the Redevelopment Agency to adopt a Recognized Obligation Payment Schedule (ROPS) every 6 months. To date, the Board has approved the first three ROPS required for the Successor Agency. The Board is now being asked to review the first 6 month report for fiscal year 2013-14. The period for this report is July 1, 2013 to December 31, 2013. The ROPS for the noted period includes the debt obligation for the tax increment bond payments due during this period, as well as the administrative costs for the Successor Agency and the Board.

The Successor Agency had several other debt obligations noted on the previous ROPS which were denied or disapproved by the State of California Department of Finance (DOF). The loans between the City and the former Redevelopment Agency were denied. However, with a *Finding of Completion* issued by DOF (indicating that the Agency has met all requirements to date of the new law), the State has approved legislation which would allow for these loans to subsequently be repaid beginning in the second half of fiscal year 2013-2014. The *Finding of Completion* from DOF is not anticipated until later this fiscal year. Therefore, the loans will remain as an obligation on the ROPS, but no payment will be approved until the *Finding of Completion* is issued by DOF.

DOF disapproved the Agency's obligation to fund \$1.5 million in improvements to the New Village Arts theater building. However, the obligation has remained on the ROPS while the Agency continues its discussions with DOF on this matter and/or pursues legal action to allow for compliance with this contract and receipt of the noted funds to satisfy this obligation. DOF also disapproved funding for payment of the land leases with NCTD to provide public parking within the Village Area. Staff is pursuing the identification of an alternate funding source for these leases, and will be removing this obligation from future ROPS. All other previous obligations have been paid, or an alternate funding source was identified for the obligation.

The attached Oversight Board Resolution approves the ROPS 2013-14A and authorizes the Chairperson for the Board to execute the report certification/resolution and submit it to the State of California and County of San Diego, as set forth by State Law. Any modifications by DOF following its review will be subject to a Meet and Confer process.

**Fiscal Impact:**

The total outstanding debt or obligations set forth with this ROPS is \$11,634,918 (for the tax increment bonds and administrative costs only). The total 6 month funding requested by the Agency for the approved obligations set forth within ROPS 2013-14A is \$952,333. It is anticipated that all of the funding required to pay the noted 6 month debts or obligations will be provided through the Redevelopment Property Tax Trust Fund (RPTTF); no other funding source has been noted.

**Attachments**

1. Oversight Board Resolution No. 13-004, approving the ROPS 2013-14A, and authorizing the submission of the report to State of California and County of San Diego as set forth by State Law.

1 RESOLUTION NO. 13-004

2 A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR  
3 AGENCY TO THE CARLSBAD REDEVELOPMENT AGENCY OF THE CITY OF  
4 CARLSBAD, CALIFORNIA, APPROVING THE RECOGNIZED OBLIGATION  
5 PAYMENT SCHEDULE FOR JULY 1, 2013 TO DECEMBER 31, 2012 (ROPS  
6 2013-15A)

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7 WHEREAS, pursuant to ABX1 26, State of California legislation adopted in June,  
8 2011, the Carlsbad Redevelopment Agency was dissolved effective February 1, 2012  
9 and the City of Carlsbad became the Successor Agency for the Carlsbad  
10 Redevelopment Agency, and the Carlsbad Housing Authority became the Successor  
11 Housing Agency for the Carlsbad Redevelopment Agency; and

12 WHEREAS, the State of California requires the Successor Agency to prepare and  
13 approve a Recognized Obligation Payment Schedule every six months of a fiscal year  
14 establishing the outstanding debt and obligations of the Agency and to set forth a  
15 repayment schedule through December 31, 2012 as set forth in applicable contracts and  
16 agreements; and

17 WHEREAS, the Recognized Obligation Payment Schedules must be submitted to  
18 the appointed Oversight Board for review and approval, with Board certified Schedules  
19 submitted to the County of San Diego and State of California to document the financial  
20 obligations of the Successor Agency.

21 NOW, THEREFORE, BE IT RESOLVED by the Oversight Board for the  
22 Successor Agency to the Carlsbad Redevelopment Agency as follows:

- 23 1. That the above recitations are true and correct.
- 24 2. The Oversight Board for the Successor Agency to the Carlsbad  
25 Redevelopment Agency hereby approves the Recognized Obligations  
26 Payment Schedule for the period from July 1, 2012 to December 31, 2012  
27 (ROPS 2013-14A), as attached hereto.  
28



- 1 3. The Chairperson for the Oversight Board is hereby authorized to execute the  
2 certification required for approval of the ROPS 2013-14A, as noted herein.
- 3 4. The Housing and Neighborhood Services Director for the City of Carlsbad,  
4 acting as Successor Agency staff, is authorized to submit the Recognized  
5 Obligation Payment Schedule to the County of San Diego and State of  
6 California officials as set forth by State Law, and to represent the Board by  
7 providing any additional information requested by the County and State  
8 officials to support the approved Schedules and obtain the necessary funding  
9 to pay for the approved debt obligations.  
10

11  
12 PASSED, APPROVED AND ADOPTED at a Special public meeting of the  
13 Oversight Board for the Successor Agency to the Carlsbad Redevelopment Agency on  
14 the 27<sup>th</sup> day of February, 2013, by the following vote to wit:

15 AYES:

16 NOES:

17 ABSENT:

18 ATTEST:  
19  
20

21 \_\_\_\_\_  
22 Julie Baker, Chairperson,  
23 Oversight Board for the Successor Agency  
24 to the Carlsbad Redevelopment Agency

25 \_\_\_\_\_  
26 Debbie Fountain  
27 Housing and Neighborhood Services Director  
28 Staff to Oversight Board & Successor Agency



## SUCCESSOR AGENCY CONTACT INFORMATION

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San Diego

Carlsbad

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Debbie

Fountain

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Housing and Neighborhood Services Director

1200 Carlsbad Village Drive

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Carlsbad

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CA

92008

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760-434-2935 or 760-434-2815

debbie.fountain@carlsbadca.gov

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# SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: CARLSBAD (SAN DIEGO)

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$11,634,918

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$827,333
C Administrative Allowance Funded with RPTTF	\$125,000
D Total RPTTF Funded (B + C = D)	\$952,333
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$952,333
F Enter Total Six-Month Anticipated RPTTF Funding	\$952,333
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$0

## Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))

H Enter Estimated Obligations Funded by RPTTF <i>(lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	\$1,237,342
I Enter Actual Obligations Paid with RPTTF	\$812,295
J Enter Actual Administrative Expenses Paid with RPTTF	\$112,332
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$312,715
L Adjustment to RPTTF (D - K = L)	\$639,618

Certification of Oversight Board Chairman:

Pursuant to Section 34177(m) of the Health and Safety code,

I hereby certify that the above is a true and accurate Recognized

Obligation Payment Schedule for the above named agency.

Name

Title

/s/

Signature

Date

CARLSBAD (SAN DIEGO)  
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)  
July 1, 2013 through December 31, 2013

[illegible]

CARLE PLACE (SAN DIEGO)

Payable to Health and Safety Code section 54286 (a)

PRIOR PERIOD ESTIMATED OBLIGATIONS VS. ACTUAL PAYMENTS

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (BOPIS #)

July 1, 2012 through December 31, 2012

Row #	Project Name / Debt Obligation	Fiscal Year	Description/Project Scope	Project Area	Total		Bond Proceeds		Reserve Balance		Admin Allowance		BPTS		Other	
					Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
1	1993 Low Allocation Bonding Bonds	Bank of New York	San Francisco Bonds to Finance non-housing redevelopment	Village	0	0	0	0	0	0	0	0	277,333	581,293	0	0
2	Redevelopment Loans (Village & SCCOA)	City of Carlsbad	Contract loans for supplemental financing of redevelopment	Village & SCCOA	0	0	0	0	0	0	0	0	0	0	0	0
3	New Village Arts	Contractor - TBC	Contract loans for supplemental financing of redevelopment	Village	0	0	0	0	0	0	0	0	0	0	0	0
4	Parking Leases	MCTD	Lease Agreement with Redevelopment Commission	Village	0	0	0	0	0	0	0	0	0	0	0	0
5	Redevelopment Agency Staff Costs	City of Carlsbad	Lease Agreement with Redevelopment Commission	Village & SCCOA	0	0	0	0	0	0	52,803	51,811	0	0	0	0
6	Redevelopment Agency Staff Costs	City of Carlsbad	Lease Agreement with Redevelopment Commission	Village & SCCOA	0	0	0	0	0	0	24,077	66,379	0	0	0	0

## CARLSBAD (SAN DIEGO)

## RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)

July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	1993 Tax Allocation Refunding Bonds	Fiscal agent fees of \$4500 are included within this amount due for payments on the bonds; calculated for remainder of debt services payments as well.
2	Redevelopment Loans (Village & SCCRA)	Upon receipt of a Finding of Completion from DOF, these loans will begin to be repaid to the City. The loan agreement does not expire until loans repaid.
3	New Village Arts	The Agency continues to believe that it has an obligation to comply with the terms of this agreement if the tenant meets its obligations.
4	Parking Leases	The Agency is conceding on this matter and will identify an alternate funding source for these leases; need to remove from ROPS.
5	RDA/Successor Agency Staff Costs	
6	RDA/Successor Agency M&O Costs	